

CONTEMPT OF THE FEDERAL COURT

Government Will Try to Punish
Alabama Mob for Lynch-
ing a Negro.

SHERIFF CITED TO APPEAR

NEW DEPARTURE CAUSES SOME
SURPRISE.

Washington, May 28.—The government has taken steps to punish the persons who are responsible for the lynching in Chattanooga, Tenn., on March 19 last of the negro, Ed Johnson, who, under sentence of death for rape, had been allowed an appeal by the United States supreme court from the circuit court of the United States for the eastern district of Tennessee. In the supreme court today Attorney General Moody filed an information requesting that, in consideration of acts committed by the persons named, it issue a rule upon each of them to show cause why they should not be punished for contempt of the court. Twenty-seven persons are named as defendants.

Statement of Moody.

After stating the facts of the arrest, conviction and sentence of Johnson, the denial of his petition for a writ of habeas corpus by the circuit court in which it was alleged, among other things, that the petitioner had been denied the aid of counsel, in violation of the fifth and sixth amendments to the constitution, and other rights under the fourteenth amendment, and the order of the court of March 19, allowing the appeal to the supreme court, and the fact that the sheriff, John P. Shipp, sheriff of Hamilton county, who had Johnson in charge, and the publication of the action of the court in the Chattanooga evening papers on that date, the Attorney-General stated that the sheriff and his deputies had every reason to believe from current reports and rumors conveyed to them that an attempt would be made to lynch Johnson, and that, notwithstanding these facts, the sheriff withdrew from the jail early in the evening of the 19th the usual guard and left in charge only the night jailer, Deputy Sheriff Gibson.

Charge of Contempt.

It was stated also about 9 o'clock of that night the defendants and a large number of other persons combined and conspired together to lynch and murder Johnson with the intent to show their contempt and disregard of the order of the court and for the purpose of preventing the prisoner from exercising his right secured to him by the laws and constitution of the United States.

The facts attending the lynching are given in the information filed, and the statement is made that, although Sheriff Shipp returned to the jail while it was in possession of a mob, neither he nor Deputy Gibson did anything to prevent the lynching, but, in fact, aided those engaged in it.

The Attorney-General closed as follows: "Wherefore, the United States of America, the complainant herein, through the attorney-general, respectfully request this honorable court that, in consideration of the acts committed by the above-named defendants and each of them, as hereinbefore set forth, it will issue and direct the marshal of this court to serve upon said defendants and each of them a rule to show cause, if any there be, on a day certain why said defendants and each of them should not be punished as for a contempt of this honorable court."

The court granted leave to file as requested, asking that a majority on the second Monday of the next term of court, October 15, next.

Action Causes Surprise.

Chattanooga, Tenn., May 28.—The action of the attorney-general of the United States came as a surprise here, the local grand jury having failed to find an indictment against the lynchers of Johnson, although strongly charged by Judge McReynolds. Ten of the men named by the attorney-general are officials, the sheriff and his deputies. The others are not widely known or prominent.

Going out of business, the china store of Davies & Co., 30 South Main. The sale will commence May 31 and will be splendid opportunity to obtain at bargain prices, all kinds of chinaware, cut glass, bric-a-brac, etc. Just the place for June wedding presents.

EXCURSION NORTH. June 9th.

Via O. S. L. Greatly reduced rates to Northern Utah and Idaho points. See agents for particulars regarding limits, etc.

City Ticket Office, 201 Main street.

DARROW ARRIVES ON THE GROUND

Chicago Lawyer Will Take Part
in Defense of Moyer, Hay-
wood and Pettibone.

BELIEVES THEM INNOCENT

MOTION WILL BE ARGUED IN
CALDWELL TODAY.

(Special to The Herald.)
Caldwell, Ida., May 28.—Clarence Darrow of Chicago arrived in Caldwell this afternoon and will be prepared to take part in the motion for change of venue in the so-called "dynamite cases" before Judge Frank Smith tomorrow. Mr. Darrow had intended to go to Boise today but at Nampa he met E. F. Richardson and other attorneys for the defense, and came with them to Caldwell. Mr. Darrow is satisfied that Moyer, Haywood and Pettibone will be adjudged not guilty of the crime of conspiring or taking part in any way in the assassination of former Governor Frank Steunenberg.

Defendants Given No Chance.

"The defendants," said Mr. Darrow, "were brought from the state of Colorado in a manner that was utterly and entirely illegal. They were given no chance to see attorneys or in any other way to demonstrate whether or not they could be brought from Colorado to Idaho to be tried for an offense in which I am satisfied they did not participate. Nobody could deplore the assassination of Mr. Steunenberg more than myself nor more than the mass of the unions. They are just as much interested as I am, just as much interested in seeing the guilty punished as any others of the state of Idaho could be. The mere fact, however, that Governor Steunenberg was killed by a bomb or other explosive is not prima facie evidence that he was right because, Haywood and Pettibone, had anything whatever to do with his assassination."

Will Remain in Caldwell.

Mr. Darrow will remain in Caldwell until the cases against the Western Federalists are heard here. He expects to file the motion for a change of venue before Judge Frank Smith in the district court tomorrow.

Pirating Foley's Honey and Tar.

Foley & Co., Chicago, originated Honey and Tar as a throat and lung remedy, and on account of the great merit and popularity of Foley's Honey and Tar many imitations are offered for sale. These worthless imitations have similar sounding names. Beware of them. The genuine Foley's Honey and Tar is a yellow package. Ask for it and refuse any substitute. It is the best remedy for coughs and colds. F. J. Hill Drug Co.

EVERYBODY BUSY.

Painters and paperhangers are at work again, and are prepared to execute promptly all orders for painting and papering.

CHAS. H. BODEL.

33-35 East First South.

EXCURSION NORTH

June 9th.

Via O. S. L. Greatly reduced rates to Northern Utah and Idaho points. See agents for particulars regarding limits, etc.

City Ticket Office, 201 Main street.

Sixty Years' Experience of an Old Nurse.

Mrs. Winslow's Soothing Syrup is the prescription of one of the best female physicians and nurses in the United States, and has been used for sixty years with never-failing success by millions of mothers for their children. During the process of teething its value is incalculable. It relieves the child from pain, cures colic, soothes the bowels, cures wind colic. By giving health to the child it rests the mother. Price 75 cents a bottle.

EXCURSION EAST

Via Oregon Short Line.

May 26 and 28, and June 1, 3 and 15. Denver, Colorado Springs or Pueblo. Omaha or Kansas City. \$20.00. St. Louis. \$25.00. St. Paul or Minneapolis. \$25.00. Chicago. \$45.00. Memphis. \$45.00.

Proportionately low rates to many other points. See agents for particulars. Tickets good for return to Oct. 31. City ticket office 201 Main St.

ASSISTED BY QUORUM VOTING

House Compelled to Live Up to
Its Rules for Once by
Mr. Williams.

MUCH TIME WAS CONSUMED

MEMBERS BROUGHT IN UNDER
ARREST.

Washington, May 28.—Early in the session of the house today Mr. Williams (Miss.), the floor leader of the minority, made the point that there was no quorum present, and it took a call of the house to start the wheels of legislation.

After the appearance of a quorum the house concurred in amendments made by the senate to a number of bills. The house then resolved itself into a "city council" for the consideration of bills relating to the District of Columbia.

The compulsory educational bill for the district, occupied the day in its consideration, the bill being finally passed on its passage.

On a division the absence of a quorum was declared. Mr. Williams made the point of "no quorum," and a call of the house ensued, the years and hours being called on the passage of the compulsory education bill.

Rounded Them Up.

The sergeant-at-arms and his assistants started on a round of the hotels and other residences of members, and one by one the members were brought before the sergeant-at-arms, made a perfunctory inquiry, "Is this compulsory education?" he asked, which created a round of laughter.

After a quorum was obtained, two hours having been consumed in the effort, the sergeant-at-arms had been put in operation as to bringing members before the bar under arrest, and as there seemed to be some misunderstanding in relation to the rule he asked unanimous consent that the whole matter of the making of a quorum be stricken from the record. Mr. Payne objected, and the house, at 7:40, adjourned.

Kidney complaint kills more people

than any other disease. This is due to the disease being so insidious that it gets a good hold on the system before it is recognized. Foley's Kidney Cure will prevent the development of fatal disease if taken in time. F. J. Hill Drug Co.

MORAN WHIPS

ASPHALT TRUST

Continued from page 1.

tered by saying that the council at its meeting the previous week had rejected the asphalt trust's bid, and this opened up a discussion of the parliamentary status of that bid, which was intermingled with the balance of the debate during the night. The Moran people contending that a majority of those present at the meeting in question had voted to accept the trust bid, a legal majority of the whole council had not so voted, and the trust advocates contending that the question voted upon was not the acceptance of the bid, but the adoption of a committee report. President Davis ruled uniformly with the Moran people that the matter voted upon was a majority of the council, and that the bid was accepted, and that it had, therefore, failed accordingly.

Fernstrom to the Fore.

Fernstrom supported Black's amending ordinance. "When we passed the original ordinance providing for five-year payments instead of ten," he said, "we all made a blunder. We didn't examine it closely enough. Property owners understood that it meant ten-year payments. We all thought so. Having made the blunder, let us correct it. We can do so to pass this ordinance and correct it."

Black followed with a speech, declaring that five annual payments would be too heavy. Preece made a sarcastic speech, saying that the councilmen should have examined the original ordinance more closely before rushing them through. He said that both the "Americans" and the "Democrats" were now "playing politics." He continued, however, with the "American Democratic-Moran combination." Tuddenham said he proposed to vote for ten-year payments when he voted for the original ordinance. He had made his mistake, however, and now proposed to vote for Black's amendment. "I find that the advertisement for the second street in my own precinct calls for five-year payments," declared Tuddenham. "I didn't know it when I voted for it. Why, I asked property owners not to sign a protest against the paving by telling them it would be on the ten-year plan."

Dininsky Quotes Law.

Mr. Dininsky, in response to a query from Hobday, said that, to pass the amended ordinance introduced by Black would require the throwing out of the contracts, and the readvertising of the contracts, which the Moran people were unwilling they didn't betray any signs of mental depression over the question of readvertising, as to whether notice of the protest would be a call for bids would have to be republished. Mr. Dininsky said "yes," Mr. Fernstrom said "no," and Mr. Tuddenham referred sarcastically to "Attorney Fernstrom." Wells also cited his legal judgment against that of Mr. Dininsky.

Ordinances Are Passed.

Black's four amending ordinances were passed. They amend the ordinances for paving the following streets, providing for ten-year instead of five-year paving: First South street, from West Temple street to Fourth South; Main street, from Fourth South to Ninth South; Fourth South, from West Temple to Second East; also State street, from Fourth South to Seventh South, the latter two streets being included in one contract. Second South, from Third East to Tenth East.

On the first three streets the asphalt trust was the lowest bidder; on the last named the bids had not yet been opened.

Mulvey Renews Fight.

Then Mulvey moved that the council concur in the letter from the board of public works relative to the protest against and approve the asphalt contract. Martin made a point of order on two grounds.

First, that the city attorney had already stated that the passing of the amending ordinance would require the readvertising for bids.

Second, that the council at its last meeting had acted adversely on the trust bid, and could not now concur in the board's recommendation and give the trust the contract.

This precipitated a long parliamentary discussion. Mulvey spoke a piece, in which the words "square deal" figured largely. Fernstrom gave a disquisition on parliamentary law, upholding Martin's point of order. Black did, too; and Perry made an exhaustive argument to prove that the contract had not been turned down at the previous meeting.

President Davis sustained Martin's point of order. He declared he had concurred both parliamentarians and lawyers

Bon Ami

The Best Scouring Soap Made

A Scouring Soap
A Metal Polish
A Glass Cleaner

HAMILTON'S SMART SHOP.

White Dresses, Suits and
Waist Sale.

The Dainty White Gowns in Mulls, Nets and Laces. Also simple White Dresses for Graduation on sale. These are the greatest values ever offered.

PRICES \$6.50 TO \$25.00

Tailor-Made Suits.

An elegant shipment of Tailor-Made Suits will be placed at specials \$14.50 to \$30.00. All the new and smart coat effects being in this lot.

Waists in Laces, Nets and
Lingeries.

100 Dozen Waists placed on sale—38c to \$10.00—which is less than REGULAR COST.

Specials in Coats.

Utility Garments, Fancy Wraps, Auto Coats and Cravensets will be Marked Down at SPECIAL PRICES.



"Drunkness"
Cigarette and Tobacco
Habits Cured by
TRIB

There are many people who have taken "cures" for liquor and tobacco "habits" who will tell you that they did not receive a cure. They people and many others would take "TRIB" if they knew how easy it is to receive a cure with "TRIB." If they knew what a wonderful improvement "TRIB" makes upon the general health, if they knew how many people have been cured and restored to their rightful possessions in life by its use, if they knew the new life "TRIB" is giving mothers, fathers, wives, sisters, brothers and friends of people who are well and strong today. One was trying to sell his property and move to Arizona, but after using New Discovery a short time he found it unnecessary to do so. I regard Dr. King's New Discovery as the most wonderful medicine in existence. Suresst Cough and Cold cure and Throat and Lung healer. Guaranteed by Z. C. M. L. Drug Dept. 50c and \$1. Trial bottle free.

Go to Saltair Decoration Day and be comfortable and see the new attractions.

Fortunate Misadventurers.

"When I was a druggist, at Livonia, Mo.," writes T. J. Lwyer, now of Grayville, Mo., "three of my customers were permanently cured of consumption by Dr. King's New Discovery, and are well and strong today. One was trying to sell his property and move to Arizona, but after using New Discovery a short time he found it unnecessary to do so. I regard Dr. King's New Discovery as the most wonderful medicine in existence. Suresst Cough and Cold cure and Throat and Lung healer. Guaranteed by Z. C. M. L. Drug Dept. 50c and \$1. Trial bottle free."

HOME INDUSTRY.

We recommend that our readers buy their Knit Goods, Shirts and Drawers, Union Suits, Sweaters, Tights, Bicycle Suits and all articles in this line where they are manufactured.

ENSIGN KNITTING CO., 30 RICHARDS STREET.

For "quality, fit and finish," they cannot be excelled. If you believe in sustaining home industry, patronize them. Mail orders promptly filled. Send for samples and prices.

HALF RATES

To Northern Utah and Idaho.

Via the O. S. L. June 9th. See agents for full particulars regarding limits, etc.

City Ticket Office, 201 Main street.

FOUR HOURS' WORK A DAY

for three months is the time required to complete our summer course in Stenography. Apply for particulars. STENOGRAPHIC BUREAU, 224 Dooly block. Both phones.

CHEAP RATES EAST.

Via Colorado Midland Ry.

On May 28-29, June 1-3-16, tickets will be sold to Chicago, Minneapolis, Memphis and points west thereof at rate of one fare plus \$2 for round trip. Limit, Oct. 31, stopovers. Call at our ticket office or telephone for full particulars. Dining cars June 1.

Druehl
and
Franken
DRUGGISTS
S. E. Corner
Main & 3d So.
Phones 100.

Sea-Sickness

Dore's remedy for sea-sickness, makes all who cross the sea in ships good sailors. Will absolutely prevent the nausea that makes an ocean voyage shunned by many. Price \$1.00. Sufficient for 10 days' sail.

We have Toothbrushes that will inspire praise.

The Beer Season

may now be said to be fairly opened. The warm days of June, July and August will find you often seeking the solace of the foaming beverage. If you keep a case of Fisher in the house you will always be sure to have the best and purest. It's not only a thirst quencher, but a helpful tonic. Pints or quarts brought to your door.

A. Fisher Brewing Co.

Co.

PHONE 255.

Your Attention

Is invited to the display of silver deposit ware in our store this week. Fine for weddings.

Established

1862
Park's
JEWELRY STORE 170 MAIN ST.

DR. DUBOIS' SPECIFIC PILLS

A sure and perfect cure for ailments of women. Composed from tansy, pennyroyal and cotton root in perfect formula, they are without injurious effect.

A. C. SMITH,
The Druggist,

142 Main Street

I Will Guarantee

HAMLIN PAINTS.

BOTH PHONES.

Union Dental Co.

218 South Main.

HONEST WORK

HONEST PRICES

Painless Extraction of Teeth or No Pay. All Work Positively Guaranteed. Phones: Bell, 1126-X; Ind., 1125.

Assessment Notice No. 30.
THE TETRO MINING COMPANY OF Tintic, Location of a principal place of business, Salt Lake City, state of Utah. Location of mine and works, Tintic mining district, Juab county, state of Utah. Notice is hereby given that at a meeting of the board of directors of said company held on May 8, 1906, assessment No. 30, of two cents per share, was levied on the capital stock of the corporation, payable immediately to the secretary at the office of the company, 225 Commercial building, Salt Lake City, state of Utah. Any stock upon which this assessment shall remain unpaid on Saturday, June 2nd day of June, 1906, will be delinquent and advertised for sale at public auction, and unless payment is made before, will be sold on Monday, the 24th day of July, 1906, at 10 o'clock a. m., to pay the delinquent assessment, together with the costs of advertising and expense of sale. By order of the board of directors.
J. R. WILKINS, Secretary.
Salt Lake City, Utah, May 9, 1906.

Notice of Private Sale of Real Estate.

ESTATE OF CHARLES AUER, Deceased. The undersigned will sell at private sale the following described real estate, situated in the city and county of Salt Lake, state of Utah, to-wit:

An undivided one-half (1/2) interest in the west block one hundred sixty-three (163), plat "D".

Lot three (3), block one hundred forty-five (145), plat "J".

Lot four (4), block thirteen; plat "J".

Lot two (2), block fifteen (15), plat "J".

Lot six (6), block fifteen (15), plat "J".

Salt Lake City survey.

All of the east 1/2 of lot 4, in block 46, plat B, Salt Lake City survey, and a part of lot 2, said block, commencing at the N. E. corner of said lot 2 and running thence south 4 rods; thence west 10 rods; thence north 4 rods; thence east 10 rods to place of beginning; and also a right of way over the following parcel of land, commencing at a point 4 ft. south of the N. W. corner of said lot 4, in block 46, plat B, aforesaid, and running thence north 4 rods; thence east 10 rods; thence west 10 rods; thence north 18 ft. to place of beginning.

Also the following described real estate situated in the county of Davis, state of Utah, to-wit:

The south one-half (1/2) of the north-west quarter (1/4) of section No. thirty-four (34), township No. one (1) south, of range one west, Salt Lake meridian; containing eight (8) acres of land.

Also the following described real estate situated in the county of Davis, state of Utah, to-wit:

An undivided 1/2 interest of, in and to that certain piece or parcel of land situated in the county of Davis, state of Utah, being the west 1/2 of the N. W. 1/4 of sec. 25, T. 2 N., R. 1 W., Salt Lake meridian; containing 80 acres of land.

And sealed written bids will be received up to twelve o'clock noon of Saturday, June 2, 1906, for the purchase of said property, or any part thereof, at No. 11 West Second South street, Salt Lake City, Utah. Terms of sale cash.

Dated May 23, 1906.

H. P. LYTLE, Administrator With the Will Annexed of the Estate of Charles Auer, Deceased.

D. R. Hempstead, Attorney for Said Administrator.

NOTICE OF STOCKHOLDERS' MEETING.

TO THE STOCKHOLDERS OF THE Alice Gold and Silver Mining Company of Utah. Notice is hereby given, in pursuance to a resolution of the board of directors, adopted this day, a meeting of the stockholders of the Alice Gold and Silver Mining Company will be held at the office of the company, Walker Brothers bankers, Salt Lake City, Utah, on the 24th day of June, 1906, at 10 o'clock a. m., for the purpose of electing a full board of directors for the company, to serve at the next annual meeting of stockholders and until their successors are elected and qualified; and also for the purpose of amending the charter of the company, by adding to the principal office of the company in Salt Lake, by amending the seventh paragraph or article of the constitution of incorporation, so that the same shall read as follows:

"VII.—The officers of the corporation shall be a board of directors of not less than five members, a president, vice president, treasurer and secretary, a person must be the owner in his own right, as shown by the books of the corporation, of not less than one hundred shares of the capital stock. Meetings of the directors for the transaction of any business of the corporation may be held at the principal office of the corporation, or at such place or places outside of the state of Utah or wherever within said state, as the directors may by resolution or by-laws provide."

Secretary of the Alice Gold & Silver Mining Company.
Dated May 16, 1906.

Delinquent Notice.

SCOTTISH CHIEF MINING COMPANY. Principal place of business, Salt Lake City, Utah. Notice.—There are delinquent on the following described stock, on account of assessments made on the 24th day of February, 1906, the several amounts set opposite the names of the respective shareholders, as follows:

No.	Name	Shares	Amount
12	F. C. Dern	1,000	\$10.00
13	F. C. Dern	1,000	\$10.00
14	F. C. Dern	500	5.00
15	F. C. Dern	500	5.00
16	F. C. Dern	500	5.00
17	F. C. Dern	500	5.00
18	F. C. Dern	500	5.00
19	F. C. Dern	500	5.00
20	F. C. Dern	500	5.00
21	F. C. Dern	500	5.00
22	F. C. Dern	500	5.00
23	F. C. Dern	500	5.00
24	F. C. Dern	500	5.00
25	F. C. Dern	500	5.00
26	F. C. Dern	500	5.00
27	F. C. Dern	500	5.00
28	F. C. Dern	500	5.00
29	F. C. Dern	500	5.00
30	F. C. Dern	500	5.00
31	F. C. Dern	500	5.00
32	F. C. Dern	500	5